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IN THE HIGH COURT OF KARNATAKA AT BANGALORE
DATED THIS THE 8 TH DAY OF JUNE 1998

BEFORE

THE HON'BLE MR.JUSTICE M.F.SALDANHA
WRIT PETITION NO. 975 OF 1996 (LR)

BETWEEN:

Smt. Nanjamma,
W/o Mariyappa Gongadikar,

Age:42, Occ: Agril.

r/o Arasal, Taluk, Hosangad,
District Shimoga.

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.. Petitioner.

(By Sri. V.T.Rayaradd; Adv., for petr.)

AND:

1. The State of Karnataka
by its Secretary,
Revenue Department,
M.S.Building, Bangalore.
2. The Land Tribunal Hosanagad,
Dist. Shimoga,
by its Secretary.

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3. Sri. Ramappa
S/o Halappa, Age: 60,
Occ: Agril.
R/o Basavapur post,
Arasal Taluk, Hosanagad,
District Shimoga.

4. Channappa
S/o Shivappa, Age: 55,
r/o Basavapur, Arasal,
Taluk: Hosanagad,
Dist: Shimoga. .. Respondents.
(By Smt. M.R.Shanthakumari. HCGP. for R1 & R2.)

* * *

Writ petition filed under Articles
226 and 227 of the Constitution of India,
with an affidavit praying to, quash the
Annex-A dt; 30-5-79 by R-2. & Etc.,

Writ petition coming on for Preliminary
hearing in 'B' group, this day the Court
made the following:-

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ORDER

I have heard the petitioner's learned Advocate. His submission is that the petitioner has been in occupation and has been cultivating the lands right up to the present point of time and that the respondents have wrongly passed an order without any notice to the petitioner and without examination of the relevant records. I have pointed out to the petitioner's learned Advocate that it is first necessary that the Court is satisfied that the petitioner has been cultivating the lands up to the present point of time which the relevant records will indicate if that is the position and more importantly, that this must be the position after the Tribunal's order was passed. If that is the case, the petitioner is certainly entitled to produce the records and ask for appropriate relief from this court.

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2. The petition is disposed of with liberty to the petitioner's learned Advocate to re-approach this Court with the relevant records and documents if the same becomes necessary.

Sd/- JUDGE

RR

r.by: *[Signature]* 24/8/98

c.by: *[Signature]*



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[Signature]

ASST. REGISTRAR
HIGH COURT OF KARNATAKA
BANGALORE.

24-8-98

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